

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. [23-cv-03440-EKL](#) (SVK)

IN RE GOOGLE GENERATIVE AI
COPYRIGHT LITIGATION

**ORDER RE DISCOVERY DISPUTE RE
DEFENDANTS' REQUEST FOR
PRODUCTION NO. 1**

Re: Dkt. No. 134

The Court has evaluated the Parties' Joint Discovery Statement regarding Defendants' (collectively "Google") Request for Production ("RFP") no. 1, seeking the email addresses that Plaintiffs have used in connection with any Google user account, as well as the relevant law, and determines that this matter may be resolved without oral argument. Civ. L.R. 7-1(b).

On the record before this Court, Defendant's request for certain of Plaintiffs' email addresses to facilitate Defendants' investigation into whether any Plaintiff had licensed the use of the Works in Suit is both relevant and proportional to the needs of the case. Defendants may use the email addresses only for the stated, multi-step purpose: 1) to identify Plaintiffs' user accounts; 2) to determine to which services Plaintiffs uploaded content; 3) to assess which versions of Google's terms Plaintiffs agreed to and when; and 4) to evaluate what licenses may apply. Dkt. 134 at 3.

The RFP, with the noted use restriction, is not the "fishing expedition" Plaintiffs suggest but rather presents an efficient way to investigate whether the Plaintiffs licensed the Works in Suit to Google, a potentially significant issue for class certification. Plaintiffs' privacy concerns are not well-founded in light of their pre-existing, voluntary relationship with Google services and the use restriction imposed by this Court. Finally, Plaintiffs' alternative suggestion, that Google first

1 identify, from hundreds of services, which ones provided relevant licensing terms at any time so
2 that Plaintiffs may then “evaluate the request” appears to be a path to delay. For the foregoing
3 reasons, Defendants’ request to compel production is **GRANTED**, with the use restriction
4 articulated above.

5 **SO ORDERED.**

6 Dated: May 22, 2025

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9 SUSAN VAN KEULEN
United States Magistrate Judge

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